

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

RICKKE LEON GREEN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-06-62-L
	)	
JOHN WHETSEL, Sheriff,	)	
	)	
Respondent.	)	

**ORDER**

This matter is before the court for review of the Report and Recommendation entered by United States Magistrate Judge Bana Roberts on March 17, 2006. Petitioner, a state prisoner appearing *pro se*, brings this action pursuant to 28 U.S.C. §2254 seeking a writ of habeas corpus. The Magistrate Judge recommended that the petition for a writ of habeas corpus be dismissed without prejudice to refiling due to petitioner's failure to either pay the required filing fee or to submit a completed *in forma pauperis* application.

The court file reflects that no party has filed a written objection to the Magistrate Judge's Report and Recommendation. Upon *de novo* review of the entire case file in this matter, the court finds that the Report and Recommendation of the Magistrate Judge should be and is hereby adopted in its entirety.

**Accordingly, the petition for writ of habeas corpus filed pursuant to  
28 U.S.C. § 2254 is DISMISSED WITHOUT PREJUDICE.**

It is so ordered this 10th day of April, 2006.

  
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TIM LEONARD  
United States District Judge